



**MINUTES
REGULAR VILLAGE BOARD MEETING
Monday, August 27, 2012**

Present:

Trustee Brandt
Trustee Grujanac
Trustee Saltiel
Mayor Blomberg
Village Manager Burke
~~Director of Public Works Hughes~~
Planner Zozulya
Village Attorney Simon
Director of Financial Systems Roelker

~~Trustee Feldman~~
Trustee McDonough
Trustee Servi
~~Village Clerk Mastandrea~~
Chief of Police Kinsey
~~Director of Community Development McNellis~~
Streets & Parks Superintendent Pippen
~~Village Treasurer Curtis~~

Location: Village Hall, Public Meeting Room, One Olde Half Day Road, Lincolnshire, Illinois 60069

CALL TO ORDER

ROLL CALL

Mayor Blomberg called the meeting to order at 7:00 p.m. and Village Manager Burke called the Roll.

2.1 Approval of the August 13, 2012 Regular Village Board Meeting Minutes

Trustee Grujanac moved and Trustee Brandt seconded the motion to approve the minutes of the Regular Village Board Meeting of August 13, 2012 as presented. The roll call vote was as follows: AYES: Trustees Grujanac, Brandt, Saltiel, McDonough and Servi. NAYS: None. ABSENT: Trustee Feldman. ABSTAIN: None. The Mayor declared the motion carried.

3.0 REPORTS OF OFFICERS

3.1 Mayor's Report -

Mayor Blomberg introduced and welcomed new Village Manger, Bradly Burke.

3.2 Village Clerk's Report - None

3.3 Village Treasurer's Report – None

3.4 Manager's Report

Village Manager Burke said he is happy to be with the Village of Lincolnshire.

4.0 **PAYMENT OF BILLS**

5.0 **CITIZENS WISHING TO ADDRESS THE BOARD (on agenda items only)**

6.0 **PETITIONS AND COMMUNICATIONS**

6.1 **IRC 2009 – Single Family Residential Fire Sprinkler**

Division Chief Eric Norlin read a portion of a letter the Lincolnshire-Riverwoods Fire Department submitted to the Village on June 15, 2012 and provided statistics regarding nearby Villages adoption of the Fire Sprinkler Codes. Division Chief Norlin asked the Board to reconsider adopting the 2009 single family sprinkler.

Trustee Saltiel said this has become an economic and marketing issue. The concern is adding costs and impacting a person's willingness to locate here or to complete additions to their homes. Trustee Saltiel suggested revisiting this topic next year. Trustee Brandt said she is not in favor of updating the Code, she feels this should be the decision of the homeowners and does not believe in mandating additional building Codes. Trustee Brandt said she would be in support of giving out additional information during the permitting process. Trustee Servi was in agreement with Trustee Brandt and expressed his support in advocating and educating the public.

Mayor Blomberg asked Division Chief Norlin if he had statistics regarding locations and times of fatalities from a residential fire. Division Chief Norlin said he did not have the statistics but most fatalities occurred at night, during sleep hours; when children and teens do not hear the sound of the alarms. Trustee Brandt said the Village has adopted Code requiring carbon monoxide alarms and fire alarms to be located in every sleeping room. Division Chief Norlin said this becomes a life and death event when something happens. Trustee Grujanac asked if there is data showing the rate of new home construction related to this Code where it has been adopted. Division Chief Norlin said he did not have data for the rate of building in the mandated areas, but did not think the rate of construction has gone down.

Mayor Blomberg said staff would look into the Code requirement again at a future date.

7.0 **CONSENT AGENDA**

The items on the Consent Agenda will be approved by one motion. If a Trustee wishes to discuss any item, it will be pulled from the Consent Agenda and discussed under "Unfinished Business."

- 7.1 Approval of an Ordinance regarding approval of a Final Plat of Subdivision for Sidor's Subdivision, within the R3 Zoning District, with a variation to Section 6-5A-5-A(1), Site and Structure Provisions, to permit a minimum lot area of 19,838 square feet for Lot One, rather than the Code permitted 20,000-square foot minimum lot area, for the property commonly addressed as 13 Reliance Lane (Angel Sidor).**
- 7.2 Approval of an Ordinance regarding a variation to Section 6-3-5-A-1(e), General Requirements of the Lincolnshire Zoning Code, to permit an existing detached storage shed to be located on a vacant lot prior to the establishment of a principal structure on the same lot, for the property located at 13 Reliance Lane (Angel Sidor)**
- 7.3 Approval of an Ordinance regarding an amendment to the original Special Use Permit for the continued operation of an existing church, located at 1970 Riverwoods Road in the R1 Single-Family Residence Zoning District (Community Christian Church)**
- 7.4 Approval of an ordinance regarding a new Special Use Permit for the continued operation of an existing nursery school, to operate as an accessory use to the Community Christian Church, located at 1970 Riverwoods Road in the R1 Single-Family Residence Zoning District (Community Christian Church/Lincolnshire Montessori School)**
- 7.5 Approval of a Membership in the National Joint Powers Alliance (Village of Lincolnshire)**
- 7.6 Approval of an Award of a Contract for the Replacement of the Northampton Lift Station Emergency Generator with Pattern Power Systems, Elmhurst, IL, in the Amount Not to Exceed \$35,681.00 (Village of Lincolnshire)**
- 7.7 Approval of a Park Board Recommendation Regarding the Use of North Park for Boo Bash to be Held October 27, 2012 (Village of Lincolnshire)**
- 7.8 Approval of an Amendment to the Electric Aggregation Program Adopted April 16, 2012 with Integrys Energy Services, Inc.**
- 7.9 Approval of a request for fee waivers, per Section 5-3-2(A) of the Lincolnshire Village Code, for both the Community Christian Church and Lincolnshire Montessori School, both located at 1970 Riverwoods Road (Community Christian Church/Lincolnshire Montessori School)**

Trustee Saltiel moved and Trustee Grujanac seconded the motion to approve the Consent Agenda as presented. The roll call vote was as follows: AYES: Trustees Saltiel, Grujanac, Servi, McDonough and Brandt. NAYS: None. ABSTAIN: None. ABSENT: Trustee Feldman. The Mayor declared the motion carried.

8.0 ITEMS OF GENERAL BUSINESS

8.1 Planning, Zoning & Land Use

- 8.11 Approval of a Zoning Board recommendation regarding a variation from Section 6-8-7(B) of the Village Code to increase the Floor Area Ratio (FAR) from the**

maximum Code-permitted 50% to 52% (an increase of 9,000 square feet), in conjunction with a proposed 78,000 sq.ft. building expansion to an existing office/warehouse building located at 450 Barclay Boulevard (Harris Architects/Durable Packaging International)

Planner Zozulya said the latest memo and responses have been provided in the Board packets.

Trustee Grujanac moved and Trustee Brandt seconded the motion to approve a Zoning Board recommendation regarding a variation from Section 6-8-7(B) of the Village Code to increase the Floor Area Ratio (FAR) from the maximum Code-permitted 50% to 52% (an increase of 9,000 square feet), in conjunction with a proposed 78,000 sq.ft. building expansion to an existing office/warehouse building located at 450 Barclay Boulevard.

Trustee McDonough asked if responses were received to the standards for variation since the original response was lacking in this area. Planner Zozulya said the petitioner's responses to the standards were provided in the packets to the Board the previous week. Standards number one and number three have been revised per the Board's request. Village Attorney Simon said the answers have been expanded upon but the end result and the petitioner's opinion regarding applicability of the standards is the same. Trustee McDonough said it appears the petitioner believes the standards do not apply to their FAR application. Planner Zozulya confirmed the applicant does not feel the standards apply to them, and the FAR is not applicable to the lot on which Durable Packaging operates or any other lot. Trustee McDonough asked Village Attorney Simon if there were any reasons why the standards would not apply from a Zoning standpoint. Village Attorney Simon said he spoke with staff and there is no precedent for the FAR variance. Trustee Brandt asked the petitioner if they would be willing to compromise, go to the Code-permitted 50% and keep the business in the Village of Lincolnshire.

Darren Anders from Durable Packaging came before the Board and said he would not build if the FAR variance was not approved. Mr. Anders said there is no hardship for the FAR variance requested, which is a problem, and there is also no hardship for the parking variance but the Board seems to have no problem with the parking variance. Trustee Saltiel said the reality is Durable Packaging is stating the parking is not needed making landbanking more acceptable as a variance. Village Attorney Simon explained the Village Code has an enumerated list of variances in which the Board has made a legislative decision to favor and landbanked parking is one of these. Village Attorney Simon said petitioners are allowed to apply for other types of variances, not specifically enumerated and for those, the applicant has to meet all of the criteria described in the Ordinance and in this instance FAR is only due to choice with regard to use of property. Trustee Servi said the Board was willing to work with Durable Packaging, but nothing has been presented to date as a reason to grant the variance for FAR.

Mayor Blomberg said the following motion and second has been made, and suggested a vote be taken.

The roll call vote was as follows: AYES: Trustees Grujanac and Brandt. NAYS: Trustees McDonough, Saltiel and Servi. ABSTAIN: None. ABSENT: Trustee Feldman. The Mayor declared the motion denied.

- 8.12 Approval of a Zoning Board recommendation regarding a variation from Section 6-11-3 (B)(5) of the Village Code to defer construction of 64 Code-required parking spaces, through landbanking, as permitted per Section 6-14-11(D)(6), in conjunction with a proposed 78,000 sq. ft. building expansion to an existing office/warehouse building located at 450 Barclay Boulevard (Harris Architects/Durable Packaging International)**
- 8.13 Approval of an Architectural Review Board recommendation regarding a site plan; landscape plans; building elevations, materials and colors; rooftop equipment screening plan, and an exterior lighting plan, for a proposed 78,000-square foot warehouse building addition to an existing office/warehouse building, located at 450 Barclay Boulevard (Harris Architects/Durable Packaging International)**

Mayor Blomberg said since item 8.11 has been denied, no action is needed for items 8.12 and 8.13.

Trustee Brandt said she would like to see Durable Packaging get to 50% FAR and be able to work things out.

- 8.14 Approval of a Zoning Board recommendation regarding a new Special Use Permit for the establishment and operation of a yoga studio at 300 Village Green, in the R5 Mixed Use General Residence Zoning District (Village Green Baseline LP / 2 Hot Yoga) (First reading requested to be waived)**

Planner Zozulya said this Special Use Request is for a new Yoga Studio. Staff has reviewed the request and the Zoning Board unanimously recommends approval. Planner Zozulya would like to note the request for the first reading be waived to accommodate the petitioner's schedule, and staff believes this is an acceptable request.

Trustee Brandt moved and Trustee Servi seconded the motion to waive the first reading of the Zoning Board recommendation regarding a new Special Use Permit for the establishment and operation of a yoga studio at 300 Village Green, in the R5 Mixed Use General Residence Zoning District. The roll call vote was as follows: AYES: Trustees Brandt, Servi, Saltiel, McDonough and Grujanac. NAYS: None. ABSTAIN: None. ABSENT: Trustee Feldman. The Mayor declared the motion carried.

Trustee Servi moved and Trustee Grujanac seconded the motion to approve the Zoning Board recommendation regarding a new Special Use Permit for the establishment and operation of a yoga studio at 300 Village Green, in the R5 Mixed Use General Residence Zoning District. The roll call vote was as follows: AYES: Trustees Servi, Grujanac, Brandt, Saltiel and McDonough. NAYS: None. ABSTAIN: None. ABSENT: Trustee Feldman. The Mayor declared the motion carried.

13.0 **ADJOURNMENT**

Trustee McDonough moved and Trustee Brandt seconded the motion to adjourn. The voice vote was unanimous and the Mayor declared the meeting adjourned at 7:45 p.m.

Respectfully submitted,

VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk

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